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Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 INR-05 NSAE-00 PA-01

RSC-01 USIA-06 PRS-01 SP-02 COME-00 EB-04 LAB-01

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---------- 077399
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FM AMEMBASSY MANAGUA
TO SECSTATE WASHDC 5408
INFO AMEMBASSY SAN JOSE
AMEMBASSY SAN SALVADOR
AMEMBASSY GUATEMALA
AMEMBASSY TEGUCIGALPA
USCINCSO

C O N F I D E N T I A L MANAGUA 4252

USCINCSO FOR POLAD

E.O. 11652: GDS
TAGS: PINT, PINS, NU
SUBJECT: PINEDA-SOTO-PEDRO JOAQUIN CHAMORRO LAWSUIT

1. DURING A LENGTHY DISCUSSION ON OCTOBER 26 BETWEEN PRESIDENT-ELECT ANASTASIO SOMOZA AND THE AMBASSADOR, SOMOZA STATED HIS POSITION REGARDING THE PINEDA-SOTO-PEDRO JOAQUIN CHAMORRO LAWSUIT, WHICH IS PRESENTLY UNDER WAY IN THE NICARAGUAN COURTS.

2. SOMOZA SAID THAT HE WANTED TO EMPHASIZE IN THE STRONGEST TERMS THAT THE SUIT BEING BROUGHT BY SGT. SOTO AGAINST PEDRO JOAQUIN CHAMORRO THE PUBLISHER OF LA PRENSA, DID NOT REPRESENT ANY CHANGE IN HIS (SOMOZA'S) POSITION REGARDING HIS SUPPORT OF THE FREEDOM OF THE PRESS, NOR DID IT REPRESENT ANY "HARDENING" ON THE PART OF HIS GOVERNMENT ON ITS GENERAL POLICY OF ATTEMPTING TO AVOID HARD-LINE POSITIONS WHICH COULD BE MISUNDERSTOOD. SOMOZA SAID THAT THIS PARTICULAR CASE, IN HIS OPINION, REPRESENTED A CLEAR EXAMPLE OF THE COMMUNIST USE OF WOMEN TO ENTRAP AND TO EMBARRASS INDIVIDUALS AND INSTITUTIONS. SOMOZA SAID THAT IT WAS RECOGNIZED AND ACCEPTED
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THAT MRS. PINEDA WAS A TRAINED COMMUNIST AGENT, HER HUSBAND WAS

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A MOSCOW TRAINED COMMUNIST AGITATOR, AND THAT THE ACCUSATION OF RAPE WHICH MRS. PINEDA DE CRUZ HAD MADE AGAINST SGT. SOTO AND OTHER MEMBERS OF THE GUARDIA WAS A CLEAR EFFORT TO EMBARRASS THE NICARAGUAN GUARDIA TO DENIGRATE ITS EFFECTIVENESS AND TO MAKE IT MORE DIFFICULT FOR THE GUARDIA TO OPERATE AGAINST KNOWN COMMUNIST TRAINED GUERRILLA BANDS OPERATING IN THE MATAGALPA AREA. SOMOZA SAID THAT THE COMMUNIST PARTY HAD USED MRS. PINEDA FOR THESE DISRUPTIVE PURPOSES AND HAD BEEN ABLE TO ENLIST PEDRO JOAQUIN CHAMORRO AND HIS LA PRENSA NEWSPAPER AS THEIR ALLY IN GAINING WIDE PUBLICITY TO THESE BASELESS CHARGES AGAINST THE CONDUCT OF SGT. SOTO AND THE GUARDIA IN GENERAL. SOMOZA INTERPOLATED THAT IN MANY RESPECTS HE FELT IT WAS GOOD FOR THE NICARAGUAN PEOPLE TO BECOME AWARE OF THE FACT THAT LA PRENSA AND THE COMMUNIST PARTY WERE WORKING CLOSELY TOGETHER IN A CAMPAIGN TO DAMAGE AN IMPORTANT NICARAGUAN INSTITUTION.

3. PRESIDENT-ELECT SOMOZA SAID THAT HE WAS FULLY COGNIZANT OF THE FACT THAT THE COMMUNIST CONTROLLED SCAAS CONSTRUCTION WORKERS UNION, WHICH IS SUPPORTING CHAMORRO COULD BE EXTREMELY TROUBLESOME AND, INDEED, PROBABLY WAS THE ONLY SOURCE IN NICARAGUA WHICH COULD CAUSE SIGNIFICANT DIFFICULTIES FOR THE GOVERNMENT. SOMOZA SAID THAT HE FELT, HOWEVER, THAT THE GON COULD NOT BACK DOWN IN THE FACE OF THREATS FROM THE COMMUNIST CONTROLLED UNION REGARDING STRIKES BECAUSE THIS WOULD PUT HIM IN THE POSITION OF HAVING TO CHOOSE BETWEEN "SUPPORTING THE NATIONAL GUARD OR THE COMMUNIST CONTROLLED SCAAS UNION". GIVEN SUCH A CHOICE IT WAS CLEAR TO SOMOZA THAT THE GUARDIA MUST BE SUPPORTED. SOMOZA VERY STRONGLY STATED THAT HE WAS UNWILLING TO ALLOW SGT. SOTO, WHO HE CHARACTERIZED AS THE "YOUNG, RESPECTED GUARDIA SGT", TO BE "BRANDED FOR LIFE BY LA PRENSA AS A RAPIST" AND NOT TO SUPPORT SOTO IN HIS EFFORTS TO PUNISH PEDRO JOAQUIN CHAMORRO WHO HAD "CARRIED ON A CAMPAIGN AGAINST SOTO AND THE GUARDIA". SGT. SOTO HAVING BEEN CLEARED OF THE CHARGES BROUGHT AGAINST HIM BY MRS. PINEDA, HAD EVERY RIGHT IN SOMOZA'S OPINION TO SUE LA PRENSA FOR LIBEL, AND SOMOZA APPEARED GENUINELY DISTURBED THAT RESPONSIBLE PEOPLE WOULD QUESTION THE RIGHT OF SGT. SOTO, AND BY INDIRECTION THE NAT-IONAL GUARD TO SEEK REDRESS IN THE COURTS AGAINST LA PRENSA WHICH IN SOMOZA'S WORDS HAD CARRIED ON A CAMPAIGN OF VILIFICATION.

4. SOMOZA SAID THAT HE HAD MADE THE DECISION TO SUPPORT THE CONFIDENTIAL

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GUARDIA IN ITS LAWSUIT AND THAT HE HAD NOT BEEN PRESSURED BY ANY OF HIS ASSOCIATES. HE EMPHASIZED THAT HE COULD NOT, AS THE HEAD OF THE NATIONAL GUARD, ASK THESE MEN TO GO INTO AREAS WHERE COMMUN-IST TERRORISTS WERE OPERATING AND THEN NOT PROTECT THEM AGAINST CLEARLY FABRICATED COMMUNIST PROPAGANDA ATTACKS. SOMOZA RE-ITERATED THAT THIS WAS AN ISOLATED CASE WHICH SET NO PRECEDENCE OF ANY KIND AND WAS SIGNIFICANT TO HIM ONLY BECAUSE IT INVOLVED A COM-MUNIST ATTEMPT AT ENTRAPMENT OF A MEMBER OF THE NATIONAL GUARD

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AND AN EFFORT TO HOLD THE GUARD UP TO RIDICULE AND SCORN.

COMMENT: IT APPEARS CLEAR FROM SOMOZA'S COMMENTS THAT, HOWEVER VALID HIS POSITION MAY OR MAY NOT BE, HE FEELS STRONGLY THAT LA PRENSA'S "CAMPAIGN" AGAINST SGT. SOTO AND IN SOMOZA'S VIEW, THE NATIONAL GUARD ITSELF, CANNOT GO UNCHALLENGED, AND THAT DESPITE THE POTENTIAL PROBLEMS WHICH MIGHT BE CREATED BY THE COMMUNIST SCAAS CONSTRUCTION WORKERS UNION WHICH IS SUPPORTING LA PRENSA, THE GON HAD NO ALTERNATIVE EXCEPT TO BRING LIBEL CHARGES AGAINST PEDRO JOAQUIN CHAMORRO. WHETHER OR NTO THIS WAS A WISE DECISION WILL UNDOUBTEDLY HAVE TO WAIT FUTURE DEVELOPMENTS.
SHELTON

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